

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

UNITED STATES OF AMERICA ) Case No. 1:16-cr-127  
v. )  
KIRTIS GREEN ) District Judge Harry S. Mattice  
 ) Magistrate Judge Christopher H. Steger

**ORDER**

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 28] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count One of the forty count Indictment; (2) accept Defendant's guilty plea as to Count One of the forty count Indictment; (3) adjudicate Defendant guilty of wire fraud in violation of Title 18 United States Code Section 1343; and (4) order that Defendant remain out of custody under the previously imposed conditions of release [Docs. 7, 16] until further order of this Court or sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 28] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count One of the forty count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the forty count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of wire fraud in violation of Title 18 United States Code Section 1343; and

4. Defendant **SHALL REMAIN** out of custody under the previously imposed conditions of release [Docs. 7, 16] until further order of this Court or sentencing in this matter which is scheduled to take place on January 8, 2018 at 9:00 a.m. before the undersigned.

**SO ORDERED.**

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*/s/ Harry S. Mattice, Jr.*  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE